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This draft Annual Work Programme lays out EPRA's priorities and anticipated work for 2020. It has been compiled by assembling member authorities' suggestions, collected further to a call for topics and by implementing key findings originating from deliverables of the 2019 Work Programme. The draft also incorporates some suggestions made by members when [reviewing the 3-year EPRA Strategy](#) for 2017-2019. The draft WP is entering a consultation phase to assess support and coordinate individual authorities' involvement. The Board will approve the final WP at its meeting on 31 January 2020 in Munich.

The two plenary meetings in 2020 will take place on **13-15 May in Antwerp** (hosted by the Flemish Regulator for the Media - VRM) and in **22-23 October in Rotterdam** (at the invitation of the Dutch Commissariaat voor de media - CvdM).



EPRA's priority for 2020 will be to provide knowledge, facilitate discussions and the sharing of best practices to help NRAs to understand and adapt to a rapidly-changing environment so that they can fulfil their daily missions in the best possible way.

With the looming deadline of September 2020 to transpose the AVMSD, intense legislative activity to reform the regulatory frameworks in the EU - and beyond - can be expected. To support implementation, the Board proposes to make a 360-degree scan of the environment by focusing on markets and audiences. **Understanding media markets and plurality to adapt regulation (and regulators' functioning and structure) to the online age** will be a major theme throughout EPRA's Work Programme in 2020 and the proposed focus of the two plenary sessions and two of the working groups.

Media Literacy remains an important issue in 2020, with plans to increase engagement around the MIL forum and to cement the network of contacts that has grown within EPRA.

In terms of methods, the Board wishes to make a **clearer distinction between the operation of plenary and working groups sessions**. The two plenary themes throughout the year will allow for continuity and depth. In the EPRA tradition, the Board propose an approach relying on the presentation of relevant research and data collection to members and on reinforced cooperation with external stakeholders and other regulators, notably with competition authorities. In contrast, the Board proposes six ad hoc WGs to cater for the wide range of interests within the EPRA network with formats based on interactivity, aiming to produce concrete, deliverables.



The proposed plenary themes are:

"Reconciling regulatory & market approaches": understanding market trends (spring); the new paradigms of regulation (autumn)
"Ensuring plurality in the age of algorithms": Pluralism, diversity and trust vs. content curation and AI (spring); Media Literacy and quality content (autumn).



The proposed themes for the working groups are:

Gambling/betting advertising, the communication between regulators and citizens, competition, children's content, AI & regulators. The Board is asking for your views for the 6th topic.



This draft is presented for consultation. The Board welcomes views and comments [by 24 January](#).

1. European Regulatory Context

In setting out EPRA's Work Programme 2020 the Board has considered the European regulatory context - both at the European Union and the Council of Europe levels - in which media regulators operate.

1.1. At EU level

Looking back at 2019:

- Implementation of Digital Single Market Strategy: After the adoption of the revised [Audiovisual Media Services Directive](#) (AVMSD) and the [European Electronic Communications Code](#) (EECC) at the end of 2018, the third major overhaul of the EU regulatory framework took place in the field of copyright: the [Directive on copyright in the Digital Single Market](#) and the [Directive on television and radio programmes](#) were published in the Official Journal on 17 May.
- New Commission: On 28 November 2019, the European Council appointed [the new college of Commissioners](#) for the period from 1 December 2019 to 31 October 2024. Thierry Breton, the Commissioner for Internal Market, will be leading the work on [digital economy](#): a large portfolio including AI, data, and the future Digital Service Act, which has been announced for the purpose of upgrading liability and safety rules for digital platforms, services and products.

On the horizon for 2020:

- AVMSD transposition: With the looming deadline of September 2020, there will be intense legislative activity to align the regulatory frameworks with the revised provisions in the EU. This will have an impact well over EU borders as many European, non-EU countries are required ultimately to align their legal frameworks with the revised AVMSD, for instance in the framework of the Stabilisation and Association Agreements. The Commission guidelines on the essential functionality criterion of the definition of a video-sharing platform service, the guidelines regarding the calculation of the share of European works in providers' video on-demand catalogues and those on the definition of low audience and low turnover are expected to be published in early 2020.
- Disinformation: The monitoring of the [Code of practice on disinformation](#) is expected to continue throughout 2020.
- Media Literacy: A flagship event "Media literacy in an ever-changing world: Integrate. Gather. Empower." jointly organised by the DG Connect, the Croatian Ministry of Culture and the Agency for Electronic Media will take place in Zagreb 30 March and 1 April 2020. The meeting will open the Second European Media Literacy Week, planned together with the [Croatian Presidency](#).
- Data protection: The Council released a new draft version of the ePrivacy Regulation ("EPR") in October 2019. However, the Council is yet to [confirm its position](#) and to begin 'trilogue' negotiations with the Commission and Parliament. In 2020, the [European Data Protection Board](#) is expected to produce Guidelines on children's data.
- ERGA: The new Board elected in December 2019 will implement the [annual work programme](#) adopted by the members. In 2020, ERGA subgroups will focus on the strengthening of the Digital Single Market through a better cooperation between regulators in cross-border cases, the issue of disinformation by building on the results of the monitoring of the Code of practice on disinformation (see above) and the issues around media diversity and findability with a focus on the transparency of access and the retrieval of media content on platforms.

1.2. At Council of Europe level

Looking back at 2019:

- Secretary General: [Marija Pejčinović Burić](#) was elected as Secretary general for a five-year term beginning on 18 September 2019.

- [MSI-AUT/MSI-JOQ](#) deliverables: The Committee of experts on Human Rights dimensions of automated data processing and different forms of artificial intelligence (MSI-AUT) and the Committee of experts on Quality Journalism in the digital age (MSI-JOQ) have reached the end of their two-year mandates. The first deliverables are two declarations on the financial sustainability of quality journalism in the digital age and [on the manipulative capabilities of algorithmic processes](#).

On the horizon for 2020:

- [Algorithms & quality journalism](#): Pending adoption by the Committee of Ministers in early 2020 are a recommendation on promoting a favourable environment for quality journalism in the digital age, a study on supporting quality journalism through media and information literacy as well as a recommendation on the human rights impacts of algorithmic systems.
- [Artificial Intelligence](#): The Ad Hoc Committee on Artificial Intelligence ([CAHAI](#)) will examine the feasibility and potential elements of a legal framework for the development, design and application of AI, based on Council of Europe's standards on human rights, democracy and the rule of law. A [Ministerial conference focused on AI](#) will take place in Cyprus on 28-29 May 2020.
- [New expert Sub-Committees](#): Three new Committees have been launched for the next two years. The Committee of Experts on Freedom of Expression and Digital Technologies (MSI-DIG), the Committee of Experts on Media Environment and Reform (MSI-REF) and the Committee of Experts on Combating Hate Speech (ADI/MSI-DIS). Expected deliverables for the MSI-REF are a recommendation to address the shift from established channels to social networks and of related risks, a recommendation on election communication and media coverage of electoral campaigns and a guidance note on the prioritisation of public interest content on relevant social and search platforms. The MSI-DIS aims to develop a new and comprehensive legal instrument on combating hate speech.

2. Plenary Themes for 2020

In 2020, it is proposed that the plenary sessions will support the exploration into the continued relevance of media regulators by providing knowledge, discussions and sharing of best practices on how to understand and adapt to a rapidly-changing environment.

Last year's Work Programme aimed to raise the awareness of EPRA members on emerging technological issues and market changes with workstreams on artificial intelligence, the changing ecosystem of premium sports' rights and the protection of minors online. The satisfaction surveys for the meetings in Sarajevo and Athens and the consultation on the review of the EPRA strategy 2017-2019 showed strong support for a continuation of future-oriented debates. That includes technological issues and market changes that may have disruptive effects on the European media landscape and the role of the media regulators.

For 2020, the Board proposes to make a 360-degree scan of the environment by focusing on **markets and audiences to inform appropriate regulatory responses**:

- Identify, analyse and discuss key market trends to look at the impact of the changed media ecosystem on regulation and the role of regulators in the digital age.
- Discuss plurality in the age of algorithms and curated content by taking stock of recent research and analysing the range of supporting measures including encouraging media literacy and supporting quality content.

In terms of methods, the two plenary themes throughout the year will allow for continuity and depth. In the EPRA tradition, the Board proposes an approach relying on the presentation of relevant research and data collection to EPRA members and on reinforced cooperation with external stakeholders and other regulators, notably with competition authorities.

PLENARY SESSION 1: Reconciling regulatory and market approaches (bi-annual session)

- **Spring: Reconciling regulatory and market approaches: understanding key market trends**

At the spring session in Antwerp, **key market trends** will be presented with the aim to raise the awareness of EPRA members on the profound changes of the media ecosystem, and to contribute to the elaboration of adequate policy responses, by identifying priority areas in the implementation of policies and defining potential risk-based approaches.

The Board plans to invite leading academics, market analysts and the industry to present an analysis of market trends based on the latest research findings and data collection.

The European audiovisual market, notwithstanding the continued national specificities, is currently undergoing profound changes driven by the increased consumption of online media and the dominance of digital global players. Recent changes include notably the tremendous growth of on-demand within audiovisual revenues, the new challenges raised by online video ads in the field of advertising, the explosive growth of subscription video on demand services, the heavy involvement of US-based groups in the European market, the pressure on public service broadcaster revenues, or the blurred boundaries of online video sharing¹.

The Board aims to have the presentations specifically tailored to the needs of EPRA members to facilitate the understanding of how core regulatory objectives can be enforced in an online environment. This session will be consistent with past EPRA sessions encouraging the development of an evidence-based approach to inform the implementation of policies.

- **Autumn: Reconciling regulatory and market approaches: the changing paradigm of media regulation**

The next logical step after examining key market trends is looking into **how the modes of regulation should reflect the changed market reality**.

The autumn session in Rotterdam will focus on the changing paradigm of media regulation and analyse the practical consequence for media regulators. Questions to be asked could be:

- What are the concrete consequences of the shift to online regulation, the increasing reliance on self- and co-regulation and on empowering citizens?
- Have the core missions of regulators changed?

¹ [Yearbook 2018/2019](#), Key Trends; television, cinema and on-demand audiovisual media services – the pan-European picture; European Audiovisual Observatory

- Have NRAs adapted their strategy to the changes – and how? What alternative strategies are available?
- Are regulators well-equipped to face the incoming changes?
- Are financial, human and technical resources sufficient?
- Training staff: what are the best practices?

PLENARY SESSION 2: Ensuring plurality in the age of algorithms (bi-annual session)

“Media freedom and pluralism are central to the functioning of a democratic society as they help to ensure the availability and accessibility of diverse information and views, on the basis of which individuals can form and express their opinions and exchange information and ideas²”.

- **Spring: Pluralism, diversity, trust vs. content curation and AI**

With this session in spring in Antwerp, the Board aims to continue the conversation initiated at previous EPRA meetings on how to ensure pluralism and diversity in the media:

- Five years ago, it was addressed how to measure and assess media pluralism and diversity of media content.
- In 2017, EPRA was at the forefront of debates by running a session on the danger and opportunities of algorithmic content curation.
- In October 2019, the [EPRA background paper](#) on the impact of artificial intelligence and machine learning in the media sector listed securing plurality of opinions and findability of content as a potential field for regulation. The paper identified first regulatory approaches in Europe requiring social networks, platforms and other intermediaries to generate transparency, be it concerning the fact that algorithms are used, or be it regarding information on the way in which algorithms operate.

To continue feeding this vibrant debate, the Board plans to take stock of the latest research findings on how to assess pluralism and diversity in the age of personalisation of content driven by digital dominant platforms. *What are the relevant markets? What are the practical indicators to measure media pluralism in the online environment? Should new indicators be developed to take into account the specificities on the online environment? Besides findability and transparency measures what are possible ways to promote media plurality and diversity?*

For that purpose, the Board aims to fully reap the benefits of convening in the dynamic media research hub of the Benelux in 2020. The interaction between competition and media pluralism rules will also be explored and as well the existing cooperation between NRAs and competition authorities.

- **Autumn: “Media Literacy and Quality Content”**

For the autumn session in Rotterdam, the Board proposes to continue the discussion on how to ensure plurality in an algorithm age by focusing on a range of incentive-based measures to restore public confidence and trust in the media.

² Preamble of the [Council of Europe recommendation on media pluralism and transparency of media ownership](#)

This could be done by addressing measures to promote media literacy and quality content.

How can people be empowered through media and information literacy to engage more actively with their information sources, to be selective and to trust and pay for their media sources? What are the most relevant initiatives to date? How to raise public awareness of the impact of algorithms on content dissemination?

What are "quality media"? What funding schemes for quality media? Can the use of AI in the creation of content affect quality and diversity? Should AI be used to increase the findability and prominence of quality media?

3. Working Groups for 2020

At EPRA meetings, Working Groups allow for more practical and focused exchanges than the plenary sessions; they facilitate interaction between members and reinforce the practical cooperation between regulators on key issues of relevance. For 2020, the Board proposes a variety of subjects to cater for the wide range of issues that regulators cover in their daily practice. This also reflects the wish of EPRA members, as expressed in the consultation on the review of the EPRA strategy 2017-2019, for short, practical formats and deliverables as opposed to plenary sessions. In parallel, the Board also aims to encourage round table formats to increase interaction between participants.

3.1. WG1 spring: Gambling/betting advertising

The issue of gambling/betting advertising has never been covered at EPRA meetings so far. Nevertheless, there appears to be mounting concern across Europe about the volume of gambling/betting adverts on television and their impact on children and vulnerable people. Are self-regulatory measures such as voluntary bans during live sport programmes before the watershed efficient? What about gambling adverts that children and vulnerable problem gamblers see online? Do we see any changes in the legislation? The working group could offer an opportunity to identify public concerns and learn from each other by exchanging best practices.

3.2. WG2 spring: Regulators & Citizens

The Board proposes to continue the stimulating discussion that took place during an ad hoc Working group in Vienna in 2017 on the changing relationships between regulators and citizens. It would be interesting to look into how regulators communicate with citizens through consultations and information campaigns, learning from each other's best practices. Another interesting issue is whether the use of data-based regulation could complement the regulator's traditional tools.

3.3. WG3 spring: Competition

The aim of this ad hoc working group would be to complement the plenary discussions on pluralism, diversity and market trends by focusing on competition matters. For that purpose, we envisage the format of a teaching session which would help media regulators to understand the theory and practices of competition regulation, working through concrete examples and case studies, and explore the links and overlaps between media policy (e.g. concentration) and competition policy (market power). It would also address opportunities and challenges of the cooperation between media regulatory and competition

authorities.

3.4. WG1 autumn: Children's Content

The aim of this ad hoc working group would be to complement the plenary discussion on pluralism and diversity by exploring the state of play of a particular genre of programmes, i.e. children's content.

What are the trends in the consumption of children's content? How diverse is the offer? How to promote quality content for children? What are the strategies of media service providers at a time of changing audience habits and children's increasing viewing of videos on-demand and online? What particular role for public service media?

3.5. WG2 autumn: AI & Regulators

The aim of this ad hoc working group would be to continue the fruitful exchanges that took place during the plenary session on artificial intelligence and machine learning in the media sector in Athens in October 2019. More concretely, it is suggested to exchange updates on the use and development of AI tools by regulators to help them fulfil their regulatory and monitoring missions.

The expected deliverable could be a collection of tools, on-going projects and cooperation. A taskforce composed of interested EPRA members would operate during the year and share the outcome of their exchanges during the autumn working group (see 4.2).

3.6. WG3 autumn: To be decided

The Board welcomes the members thoughts on the matter, and also any suggestions on concrete subjects for the WG3.

Some options to consider could be:

- An exploratory session on e-sports
- A methodology workshop on gender and media – to discuss the application of relevant indicators – in cooperation with ERGA

4. Further Activities

4.1 Launching the EPRA Media Literacy Network

For the last two years, EPRA has facilitated a taskforce of media literacy regulators, the *EPRA MIL Taskforce*. From a small group starting out in 2018, to a permanent working group in 2019, the network has helped to develop strong links between regulators who are active in this field - to share experience, learn from each other, support new initiatives and foster long-lasting links. In the second half of 2019, an online discussion [forum on Media Literacy](#) for NRAs was launched. The forum has published several pieces of guidance on topics such as launching networks, evaluation, research and campaigns.

In 2020, media literacy will continue to feature prominently in EPRA's Work Programme with the organisation of a plenary session in the autumn. In addition, the Board plans to increase engagement around the forum, and to further stabilise the network of contacts that has grown within EPRA. Any regulators responsible for media literacy in any way, and who want to play an active part, will be able to get involved in growing this important collaborative group.

The Board will also endeavour to share the output of the MIL network and assist in providing links for cooperation with relevant regulators.

4.2. EPRA Taskforce AI & Regulators

The 50th EPRA meeting in Athens in October 2019 has revealed the keen interest of EPRA members to exchange updates of the use of AI tools to facilitate the work of regulators. In order to feed the ad hoc group on AI and Regulators scheduled for autumn 2019, the Board proposes to launch a Taskforce to lead the work and coordinate the exchange of information between NRAs.



QUESTIONS FOR EPRA MEMBERS



Before finalising the Work Programme for 2020, the Board would appreciate feedback from the members – both on the concrete proposals, and on other issues that you think are missing in the draft. The Board will then consider the feedback and finalise the WP at the Board Meeting in the end of January



Any input is most welcome, to be returned to the EPRA Secretariat (machet@epra.org; geraldine.denis@coe.int) by 24 January at the latest

Plenary Themes

1. Are the proposed plenary issues relevant for your NRA? Will your NRA be **ADDRESSING** one (or more) of the proposed plenary theme(s) this year? If YES, please briefly indicate the main activities planned in these areas. Do you see any important themes missing in the draft Working programme?
2. Would your authority like to **CONTRIBUTE** to one (or more) plenary session(s)? If YES, please indicate which theme, how you would be able to contribute (content producer, panellist, discussant, other...) and when (spring or autumn)? The Board has developed [new guidelines to better explain what content producing EPRA sessions mean](#).
3. Any **REMARKS/SUGGESTIONS** on the plenary themes that will be covered this year? Any proposals when it comes to speakers? What kind of deliverables would be useful?

Ad Hoc Working Groups

4. Are the proposed topics for the Ad Hoc Working Groups relevant for your NRA? Will your NRA be **ADDRESSING** the topics of one (or more) of the proposed WGs this year? If YES, please briefly indicate the main activities planned in these areas. Do you see any important topics missing when it comes to the working groups? Do you have any concrete suggestions for the last WG?
5. Would your authority like to **CONTRIBUTE** one (or more) working group(s)? If YES, please indicate which WG, how (content producer, panellist, discussant, other...) and when (spring or autumn 2020)?
6. Any **REMARKS/SUGGESTIONS** on the Working Groups that will be covered this year? What kind of deliverables would be useful?

Other activities

7. Please let the Secretariat know if you are interested in helping to build the **EPRA MEDIA LITERACY NETWORK** out of the existing taskforce and if your authority could contribute in any specific way.
8. Please let the Secretariat know if you are interested to participate in the **TASKFORCE "AI & REGULATORS"** and if your authority could contribute in any specific way.
9. Please add any additional **REMARKS/SUGGESTIONS** for the WP 2020 that you might have.